

OFFICE OF CONGRESSIONAL AFFAIRS**Routing Slip**

	ACTION	INFO
1. D/OCA		X
2. DD/Legislation	XX	
3. DD/Senate Affairs		X
4. Ch/Senate Affairs		
5. DD/House Affairs		X
6. Ch/House Affairs		
7. Admin Officer		
8. FOIA Officer		
9. Constituent Inquiries Officer		
10.		
11.		
12.		

SUSPENSE

7 SEPT 88

Date

STAT

Action Officer:

STAT

Remarks: Telecon to OMB on 8-31-88 stating
no objections

ECF

25AUG88

Name/Date

OCA 2844 BB

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**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET**

WASHINGTON, D.C. 20503

August 20, 1988

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SPECIAL

OCA 2844 88

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer -
Department of Defense
National Security Council
Department of Justice
Arms Control & Disarmament Agency
Central Intelligence Agency
Department of Health & Human Services

**SUBJECT: State draft report on H.R. 901, "Biological Weapons
Act of 1987."**

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than
WEDNESDAY, SEPTEMBER 7, 1988.

Questions should be referred to **SUE THAU/ANNETTE ROONEY**
(395-7300), the legislative analyst in this office.

Ronald K. Peterson

**RONALD K. PETERSON FOR
Assistant Director for
Legislative Reference**

Enclosures

**cc: G. Rawitscher
 J. Eisenhower**

SPECIAL



United States Department of State

Washington, D.C. 20520

Dear Mr. Chairman:

In lieu of testimony, the Secretary has asked me to reply to your letter of March 7, 1988, regarding H.R. 901, to "implement the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and Their Destruction, by prohibiting certain conduct relating to biological weapons, and for other purposes."

Article IV of the Biological Weapons Convention provides that each state "shall, in accordance with its constitutional processes, take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery specified in article I of the Convention, within the territory of such state, under its jurisdiction or under its control anywhere".

In light of existing laws on biological materials, such as the Toxic Substances Control Act of 1976, we do not consider that further legislation to implement the Biological Weapons Convention is necessary. We recognize, however, that additional domestic criminal legislation addressing biological materials may be useful, and we understand that the Department of Justice is prepared to work with the Committee on such legislation.

Thank you for your inquiry on this matter.

The Office of Management and Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this report.

With best wishes,

Sincerely,

J. Edward Fox
Assistant Secretary
Legislative Affairs

The Honorable
Peter W. Rodino, Jr.,
Chairman,
Committee on the Judiciary,
House of Representatives.